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Security Council

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Security Council Committee established pursuant to resolution 1267 (1999)

Note verbale dated 10 June 2002 from the Permanent Mission of Ukraine to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Ukraine to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1267 (1999) and has the honour to transmit herewith the report on the measures that Ukraine has taken to implement resolution 1390 (2002) (see annex).

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Annex

[Original: Russian]

Decision No. 749 of the Cabinet of Ministers of Ukraine of 1 June 2002 "On the implementation of the United Nations Security Council resolutions concerning Osama bin Laden, al-Qa`idah and the Taliban movement (Afghanistan)"

In connection with the adoption by the United Nations Security Council of resolutions 1388 (2002) of 15 January 2002 and 1390 (2002) of 16 January 2002, the Cabinet of Ministers of Ukraine instructs:

1. Ministries and other central and local organs of executive power:

To ensure the continued implementation of the requirements of Security Council resolutions 1267 (1999) of 15 October 1999 and 1333 (2000) of 19 December 2000, pursuant to decision No. 351 of the Cabinet of Ministers of Ukraine of 11 April 2001 "On the implementation of the United Nations Security Council resolutions concerning the Taliban movement (Afghanistan)", taking into account the requirements of Security Council resolutions 1388 (2002) of 15 January 2002 and 1390 (2002) of 16 January 2002.

2. The State Committee on the Protection of the State Frontier, the Ministry of Internal Affairs, the Ministry of Transport and the Security Service:

To take steps to prevent the entry into or transit through the territory of Ukraine of individuals associated with Osama bin Laden with members of al-Qa`idah and with the Taliban movement, in accordance with the list drawn up by the Security Council Committee established pursuant to resolution 1267 (1999) of 15 October 1999 concerning Afghanistan (hereinafter referred to as the Security Council Committee).

3. The Ministry of Foreign Affairs:

To transmit to central and local organs of executive power and to the National Bank the texts of Security Council resolutions 1388 (2002) of 15 January 2002 and 1390 (2002) of 16 January 2002 and to provide them with the list of individuals, groups, enterprises and organizations associated with Osama bin Laden, with members of al-Qa`idah and with the Taliban movement, drawn up by the Security Council Committee.

4. To delete the words "Ariana Afghan Airlines" in paragraph 6 of decision No. 351 of the Cabinet of Ministers of Ukraine of 11 April 2001 (*Official Bulletin*, 1999, No. 51, p. 2543).

Report on measures taken by Ukraine to implement Security Council resolution 1390 (2002)*

In connection with the adoption by the Security Council of resolution 1390 (2002), the Cabinet of Ministers of Ukraine adopted decision No. 749 of 1 June 2002 "On the implementation of the United Nations Security Council resolutions concerning Osama bin Laden, al-Qa'idah and the Taliban movement (Afghanistan)", in which ministries and other central and local organs of executive power are instructed to ensure the strict implementation of the provisions of Security Council resolution 1390 (2002).

I. Paragraph 2 (a)

For the purpose of implementing the requirements of Security Council resolutions 1267 (1999), 1333 (2000), 1373 (2001) and 1390 (2002) and of decision No. 351 of the Cabinet of Ministers of Ukraine of 11 April 2001 "On the implementation of the United Nations Security Council resolutions concerning the Taliban movement (Afghanistan)", decision No. 1800 of 28 December 2001 "On measures to implement United Nations Security Council resolution 1373 (2001) of 28 September 2001" and decision No. 749 of 1 June 2002 "On the implementation of the United Nations Security Council resolutions concerning Osama bin Laden, al-Qa'idah and the Taliban movement (Afghanistan)", the National Bank of Ukraine regularly brings to the attention of all Ukrainian banks the lists maintained by the Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan of individuals and entities involved in the activities of Osama bin Laden, al-Qa'idah and the Taliban movement. The National Bank of Ukraine has obliged Ukrainian banks to carry out checks of all open bank accounts (including in the banks' structural subdivisions) for the purpose of identifying accounts (including encoded accounts) belonging to the aforementioned individuals and entities and accounts from or to which funds have been transferred to or from those individuals and entities. In the event that such accounts are discovered, banks are obliged to take steps to suspend without delay banking operations in respect thereof.

For the purpose of implementing Security Council resolution 1390 (2002), the Security Service of Ukraine has taken a number of organizational, practical and operational-investigative measures aimed at discovering and blocking the movement of financial and material resources intended for radical Muslim groups of an Islamic orientation. Checks have been conducted on the presence in Ukrainian banking institutions of accounts and financial assets, in accordance with the aforementioned lists maintained by the Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan, in order to ensure the implementation of the relevant Security Council resolutions.

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* Based on paragraph 5 of the guidance for the submission of reports by States pursuant to Security Council resolution 1390 (2002) and guided by the understanding that, in accordance with paragraph 5 (f) of resolution 1390 (2002), the Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan will cooperate with the other Sanctions Committees, including the Counter-Terrorism Committee, Ukraine has not reproduced in this report information previously submitted to the Counter-Terrorism Committee.

There have been no established instances of Ukrainian commercial structures being used for the accumulation or laundering of funds belonging to international terrorist and religious extremist organizations, or of terrorist organizations being financed with the assistance of the Ukrainian banking system.

II. Paragraph 2 (b)

Pursuant to paragraph 2 of decision No. 749 of the Cabinet of Ministers of Ukraine of 1 June 2002 "On the implementation of the United Nations Security Council resolutions concerning Osama bin Laden, al-Qa`idah and the Taliban movement (Afghanistan)", the State Committee on the Protection of the State Frontier of Ukraine, the Ministry of Internal Affairs, the Ministry of Transport and the Security Service of Ukraine have been instructed to take steps to prevent the entry into or transit through the territory of Ukraine of individuals, groups, enterprises and organizations associated with Osama bin Laden, with members of al-Qa`idah and with the Taliban movement, in accordance with the list drawn up by the Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan.

For the purpose of implementing the aforementioned provision of decision No. 749 of the Cabinet of Ministers of Ukraine of 1 June 2002 and paragraph 2 (b) of Security Council resolution 1390 (2002), the State Committee on the Protection of the State Frontier of Ukraine has established and is continuously updating a database on persons who, in accordance with established procedure, have been prohibited from entering or transiting through the territory of Ukraine.

III. Paragraph 2 (c)

Ukraine has an efficient system for the control of international transfers of goods intended for military use and dual-use items. Under the control procedure, particularly when export applications are being considered, import certificates are required and, in individual cases, delivery confirmation certificates, as well as documents confirming the end user of the goods and undertakings relating to the end use.

In accordance with decision No. 1800 of the Cabinet of Ministers of Ukraine of 28 December 2001 "On measures to implement United Nations Security Council resolution 1373 (2001) of 28 September 2001", the State Export Control Service of Ukraine, where necessary, conducts checks, in collaboration with the Security Service and the Ministry of Foreign Affairs of Ukraine, to ensure that the parties to contracts relating to international deliveries of the aforementioned goods are not involved in terrorist groups.

The State Export Control Service of Ukraine has developed a database for entering information relating to individuals and entities suspected of involvement in terrorist activities, particularly individuals, groups, enterprises and organizations associated with Osama bin Laden, with members of al-Qa`idah and with the Taliban movement, in accordance with the list drawn up by the Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan.

7 June 2002